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IBM CORPORATION
IPLAW IQ0A/40-3
1701 NORTH STREET
ENDICOTT, NY 13760

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PAULA, CESAR B

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

MAILED

Application Number: 09/668,212
Filing Date: September 22, 2000
Appellant(s): CALLAGHAN ET AL.

OCT 02 2006

Technology Center 2100

Arthur J. Samodovitz
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 7/13/2006 appealing from the Office action mailed 5/15/2006.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

Pat. # 6,400,806, Uppaluru, filed on 4/5/1999.

Pat. # 5,493,608 B1, O'Sullivan, 2/20/1996.

5,367,619, Dipaolo et al, 11/22/1994.

Art Unit: 2178

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 22, 30, 36-37, and 39-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uppaluru (Pat. # 6,400,806 B1, 6/4/2002, filed on 4/5/1999), in view of O'Sullivan (Pat. # 5,493,608 B1, 2/20/1996).

Regarding independent claim 22, Uppaluru discloses the use of a conventional browser on a computer, which is modified with appropriate voice information extensions using HVML (Hyper Voice Markup Language) for downloading from a web server, playing and playing web pages, such as web forms— *audiovisual form in a written markup language*—which have input headings, *such as* day, month, year information, business white pages form (company name, city, state code information), etc *displaying said form with the respective headings and respective blank areas to be updated with text*. The user can navigate or interact with the voice web pages using the mouse, and microphone—*verbal, and tactile interaction*--. Using tags, a user can also supply input, such as spoken alphabet, and digit, keyword, proper names, and free-form voice information input into HVML forms--*said form including fields with respective headings and*

Art Unit: 2178

respective blank areas to be updated with text--, for the purpose of filling in these forms, and submitting to an agent for processing. When the browser encounters a “PAUSE” statement, it pauses until an amount of time specified in a “TIMEOUT” attribute has elapsed or an user input is entered—*said form specifying for said headings a predetermined time to wait for a response from a user after a web browser audibly rereads said each heading* (col.6, lines 53-57, col.8, line 2-col.9, line 6, col.10, line 34-col.11, line 14, col.12, lines 6-67, col.24, lines 53-67).

Moreover, Uppaluru discloses prompting for the input of information into a web page, such as a calendar form using the conventional browser. The forms displayed on the user’s monitor are filled in as a result of the user input. The input originates from a mouse, microphone, etc. (col.8, line 2-col.9, line 6, col.10, line 34-col.11, line 14, col.12, lines 20-67)--*audibly reading one of said headings and waiting for a user to audibly respond with corresponding text for the blank area associated with said one heading, and in response to said user audibly responding with said corresponding text, said browser updating the written markup language for said form to include said corresponding text for said one blank area and displaying on said client workstation an updated state of the form with said one heading and with said corresponding text typed into said blank area associated with said one heading*

Further, Uppaluru teaches the inputting of a company’s partial information, such as company name, city, state code information, into the voice web query forms, and retrieving information from a database over the Internet, such as company’s complete information using response pages, which are presented as a result of the partial submission of information (col. 10, lines 34-col.11, line 14, col.12, lines 11-67). In other words, once the form is filled in it is

Art Unit: 2178

submitted to the server and the complete information is retrieved and sent within a presentation page *subsequently, in response to said user speaking a command to said browser to send the updated written markup language for the updated form to said application in said server, said client workstation sending the updated written markup language for said updated form to said application in said server for processing.* Uppaluru fails to explicitly teach *the web browser audibly rereads said each heading.* However, O'Sullivan discloses that if a caller makes an error in response to a voice message prompt or does not enter a response within the set response time, the voice response systems will generally repeat the voice message prompt and ask the caller to try again (col.1, line 49-67). It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine Uppaluru, and O'Sullivan, because O'Sullivan teaches above the benefit of allowing a user to respond to a prompt for information. This would have allowed the user to promptly respond to an audio prompt, and quickly provide the information desired by the user.

Regarding independent claim 30, limitations *a client workstation receiving from a server....a web browser in said client workstation....* correspond to similar limitations in claim 22, and therefore are similarly rejected. Uppaluru discloses a web browser voice output —*audio queue--* for prompting, and playing voice strings in the order they are found in a web page (one right after the other). The “PAUSE TIMEOUT” attribute for pausing indefinitely (if a value is 0) for a user until an input is made— *said web browser audibly reading said one heading* (col.10, lines 34-67, col.23, lines 39-67). Uppaluru fails to explicitly teach *and in response to lapse of said predetermined time, reminding said user to audibly respond with corresponding text for the*

Art Unit: 2178

blank area associated with said other heading. However, it would have been obvious to a person of ordinary skill in the art at the time of the invention to prompt the user again for input, because Uppaluru teaches above termination of input standby if the time expires, so when an input is mandatory for the field, this combination would provide the benefit of obtaining the mandatory input, and avoiding error triggered by not having all the necessary input.

Moreover, Uppaluru discloses the input of information into the voice forms using a keyword *keyboard entry of the text for a blank area* (col.8, lines 2-67). Uppaluru fails to explicitly teach *instead of audibly responding with corresponding text for the blank area associated with said other heading, said user audibly responding with a spoken command for said browser to accept keyboard entry of the text for the blank area associated with said other heading, and based on said spoken command for said browser to accept said keyboard entry, said browser accepting subsequent keyboard of the text for said blank area associated with said other heading.* However, it would have been obvious to a person of ordinary skill in the art at the time of the invention to respond with a keyword from a keyboard entry, because this would provide the benefit to input a piece of text quicker than using the voice response. Uppaluru fails to explicitly teach *the web browser audibly rereading said one heading.* However, O'Sullivan discloses that if a caller makes an error in response to a voice message prompt or does not enter a response within the set response time, the voice response systems will generally repeat the voice message prompt and ask the caller to try again (col.1, line 49-67). It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine Uppaluru, and O'Sullivan, because O'Sullivan teaches above the benefit of allowing a user to respond to a

Art Unit: 2178

prompt for information. This would have allowed the user to promptly respond to an audio prompt, and quickly provide the information desired by the user.

Claims 36-37 are directed towards a computer program for performing the steps found in claims 27-28 respectively, and therefore are similarly rejected.

Regarding claim 39, which depends on claim 32, Uppaluru discloses the entering of a “SKIP”—*command--* selection for skipping a form value within a voice form to another field (col.25, lines 61-67, col.8, lines 63-67).

Moreover, Uppaluru discloses the entering of a “REVIEW”—*command--* selection for reviewing form values within a voice form (col.25, lines 61-67). Uppaluru fails to explicitly teach *a command that directs the browser to review the form to ensure that all fields contain information*. However, it would have been obvious to a person of ordinary skill in the art at the time of the invention to have reviewed the form to ensure information was present in all fields, because Uppaluru teaches above the reviewing of all the values in a voice form, which provides the benefit of supplying appropriate information in the forms so as to retrieve information using the form without incurring an error, which would also save time needed in refilling the wrong values in the form.

Further, Uppaluru discloses the entering of a “reset”—*command--* selection for reverting to the original default values of the form—*deleting text currently within a field* (col.25, lines 46-67).

Furthermore, Uppaluru discloses the entering of a “reload” —*command*-- selection for reloading a form (col.25, lines 46-67). Uppaluru fails to explicitly teach *a command that directs the browser to clear the form and reprocess it*. However, it would have been obvious to a person of ordinary skill in the art at the time of the invention to reprocess the reloaded form, because Uppaluru teaches above the submitting of information to a server, which provides the benefit of supplying a form in accordance to a user’s input, so as to provide the correct information to the server.

Claim 40 is directed towards a computer program for performing the steps found in claim 30, and therefore is similarly rejected.

Claim 41 is directed towards a client for performing the steps found in claim 22, and therefore is similarly rejected.

3. Claims 23-28, 32-35, and 42-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uppaluru, in view of O’Sullivan, and further in view of Dipaolo et al, hereinafter Dipaolo (USPat.# 5,367,619, 11/22/1994).

Regarding claim 23, which depends on claim 22, limitations *a client workstation storing an audiovisual form....a user to audibly respond with corresponding text for the blank area associated with said one heading* corresponds to similar limitations in claim 22, and therefore are similarly rejected. Uppaluru discloses prompting for the input of information into a web page,

Art Unit: 2178

such as a calendar form using the conventional browser—*without user selection of said one heading or the blank area associated with said one heading*. The forms displayed on the user's monitor are filled in as a result of the user input. The input originates from a mouse, microphone, etc. (col.8, line 2-col.9, line 6, col.10, line 34-col.11, line 14, col.12, lines 20-67)—*in response to said user speaking said corresponding text, said browser displaying an updated state of the form with said one heading and with said corresponding text entered in said blank area*. Uppaluru fails to explicitly teach *while said browser audibly reads said one heading, said browser automatically displaying a plurality of valid alternatives for said blank area associated with said one heading, one of said valid alternatives being said corresponding text*. However, Dipaolo discloses when a user moves to a certain field, presenting a window, which contains valid values for that specific field (col.6, lines 20-67, fig.1). It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine Uppaluru, and Dipaolo, because Dipaolo teaches the benefit of eliminating the need to remember suitable entries for a field, thus saving time and reducing errors(col.1, lines 26-37).

Regarding claim 24, which depends on claim 23, Uppaluru discloses prompting for the input of information into a web page, such as a calendar form using the conventional browser. The forms displayed on the user's monitor are filled in as a result of the user input. The input originates from a mouse, microphone, etc. The form is then submitted to a server-- *said browser updating the written markup language for said form to include said corresponding text for said blank area associated with said one heading* (col.8, line 2-col.9, line 6, col.10, line 34-col.11, line 14, col.12, lines 20-67, col.25, lines 50-53).

Regarding claim 25, which depends on claim 24, Uppaluru discloses prompting for the input of information into a web page, such as a calendar form using the conventional browser. The forms displayed on the user's monitor are filled in as a result of the user input. The input originates from a mouse, microphone, etc. -- *said browser performs the steps of updating the written markup language for said form and displaying an updated state of the form with said one heading and with said corresponding text typed in said blank area associated with said one heading and subsequently, said browser audibly reading another of said headings and waiting for a user to speak another text for the blank area associated with said other heading, and in response to said user speaking said other text, said browser updating the written markup language for said form to include said other text for said blank area associated with said other heading and displaying an updated state of the form with said other heading and with said other text typed in said blank area associated with said other heading* (col.8, line 2-col.9, line 6, col.10, line 34-col.11, line 14, col.12, lines 20-67). Uppaluru fails to explicitly teach, *said browser ceases to display said plurality of valid alternatives for said blank area*. However, Dipaolo discloses when a user moves to a certain field, presenting a window, which contains valid values for that specific field, and entering a value from the list of valid values into the form field. There is also an automatic entry of values, whenever there is only a single value associated with a field(thus no need to present a window of values) (col.6, lines 20-67, fig.1). It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine Uppaluru, and Dipaolo, because Dipaolo teaches the benefit of eliminating the need to remember suitable entries for a field, thus saving time and reducing errors(col.1, lines 26-37).

Regarding claim 26, which depends on claim 22, Uppaluru discloses prompting for the input of information into a web page, such as a calendar form using the conventional browser—*without user selection of said one heading or the blank area associated with said one heading*. The forms displayed on the user's monitor are filled in as a result of the user input. The input originates from a mouse, microphone, etc. (col.8, line 2-col.9, line 6, col.10, line 34-col.11, line 14, col.12, lines 20-67). Uppaluru fails to explicitly teach, *said browser automatically graphically indicating that said blank area associated with said one heading, and not any other blank area associated with any other heading, is currently waiting for said corresponding text from said user*. However, Dipaolo discloses when a user moves to a certain field, presenting a window, which contains valid values for that specific field, and entering a value from the list of valid values into the form field. (col.6, lines 20-67, fig.1). It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine Uppaluru, and Dipaolo, because Dipaolo teaches the benefit of eliminating the need to remember suitable entries for a field, thus saving time and reducing errors(col.1, lines 26-37).

Regarding claim 27, which depends on claim 23, Uppaluru discloses a voice form in a voice browser —*computer programming*-- prompting for the input of information into a web page form (col. 6, lines 1-52, col.10, lines 34-col.11, line 14).

Regarding claim 28, which depends on claim 23, Uppaluru discloses the entering of a "SKIP" selection for skipping a form value within a voice form. The user fills in various fields in

Art Unit: 2178

the form being displayed to the user (col.25, lines 61-67, col.8, lines 63-67, col.10, lines 34-col.11, line 14) —*said browser responding to a spoken command by said user to skip entry of text into said blank area associated with said one heading and advance to a next one of said fields, said user speaking next text for a blank area of said next one of said fields, and in response to said user speaking said next text for said blank area of said next one of said fields, said browser updating the written markup language for said form to include said next text for said blank area for said next one of said fields and displaying an updated state of the form with said next text for said next one of said fields--.*

Claims 32-35 are directed towards a computer program for performing the steps found in claims 23-25, and 23 respectively, and therefore are similarly rejected.

Claims 42-44 are directed towards a client for performing the steps found in claims 23-25 respectively, and therefore are similarly rejected.

(10) Response to Argument

Regarding claim 23, the Appellants indicate that Dipaolo does not disclose the audible reading of a heading while the browser displays the alternatives, or the displaying the alternatives automatically without user selection of the one heading (page 6). The Examiner disagrees, because Uppaluru discloses audibly prompting, using voice prompts, a user to input information into a document, such as a form, displayed, and played on a web browser (col.6, lines 53-57, col.8, lines 2-67, and col. 12, lines 6-67). Dipaolo teaches the automatic display of

Art Unit: 2178

alternative values on a field, whenever a user selects the field (col.6, lines 20-67, fig.1). It would have been obvious to one of ordinary skill in the art at the time of the invention to display the alternative values as taught by Dipaolo, when the browser reads a form field for inputting information by a user as disclosed by Uppaluru, because of all the reasons shown by Dipaolo, including eliminating the need to remember suitable entries for a form field (col.1, lines 26-37), thus saving and reducing form input errors.

Regarding claim 26, the Appellants indicate that Dipaolo does not disclose “*said browser automatically graphically indicating that said blank area associated with said one heading, and not any other blank area associated with any other heading, is currently waiting for said corresponding text from said user*”(page 7). The Examiner disagrees, because Uppaluru discloses audibly prompting, using voice prompts, a user to fill in information into a document, such as a blank form fields, displayed, and played on a web browser (col.6, lines 53-57, col.8, lines 2-67, col.10, lines 33-42, and col. 12, lines 6-67). Dipaolo discloses the automatic presentation of a window menu presenting a list of valid values to be input into the field. **The window is presented next to a field to receive the input and not the other fields** (col.6, lines 20-37, and fig.1).

Regarding claim 30, the Appellants indicate that neither Uppaluru, nor O’Sullivan disclose “instead of audibly responding with corresponding text for the blank area associated with said other heading, **said user audibly responding with a spoken command for said browser to accept keyboard entry of the text for the blank area associated with said other**

Art Unit: 2178

heading, and based on said spoken command for said browser to accept said keyboard entry, said browser accepting subsequent keyboard of the text for said blank area associated with said other heading”(page 7). The Examiner disagrees, because Uppaluru discloses audibly prompting, using voice prompts, a user to fill in information into a document using a combination of microphone, keyboard and mouse inputs, such as a blank form fields, displayed, and played on a web browser (col.6, lines 53-57, col.7, lines col.8, lines 2-67, col.20, lines 21-28, col.10, lines 33-42, and col. 12, lines 6-67). However, it would have been obvious to a person of ordinary skill in the art at the time of the invention to respond with a keyword from a keyboard entry, because this would provide the benefit to input a piece of text quicker than using the voice response.

For the above reasons, it is believed that the rejections should be sustained.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner’s answer.

Art Unit: 2178

Respectfully submitted,



**CESAR PAULA
PRIMARY EXAMINER**

Cesar B Paula

September 21, 2006



**CESAR PAULA
PRIMARY EXAMINER**

Conferees:



Heather Herndon

SPE, AU 2176



Stephen Hong

SPE, AU 2178